

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SANDRA BRANDENBURG and DONALD  
BRANDENBURG, husband and wife,

Plaintiffs,

vs.

FORTIS INSURANCE CO., d/b/a FORTIS  
HEALTH, a foreign insurance company,  
ASSURANT HEALTH, a foreign insurance  
company, TIME INSURANCE COMPANY,  
a foreign insurance company, and JOHN  
BLACK, individually,

Defendants.

NO. CV-06-0176-JLQ  
(Douglas County No. 06-2-0011-2)

ORDER REMANDING MATTER TO  
THE SUPERIOR COURT OF THE  
STATE OF WASHINGTON FOR  
DOUGLAS COUNTY; AND ORDER  
CLOSING FILE

On June 14, 2006, Defendants removed this matter from the Superior Court of the State of Washington for Douglas County. (Ct. Rec. 1). Shortly thereafter, on June 20, 2006, this court raised the issue of its subject-matter jurisdiction sua sponte and filed an Order To Show Cause Or Amend Notice Of Removal instructing the Defendants to (1) establish that it is "more likely than not" that the amount in controversy exceeds \$75,000 for purposes of federal court jurisdiction, and (2) further state the basis for disregarding the residency of Defendant John Black as a fraudulently joined party. (Ct. Rec. 5). On July 5, 2005, Defendants filed a Response To Order To Show Cause Why Action Should Not Be Remanded. (Ct. Rec. 6). Defendants inform the court that after the matter was removed, "the amount in controversy has declined due to payments made to providers" and "[a]t this time, Defendants do not object to the remand of this case." Accordingly,

**IT IS HEREBY ORDERED:**

1. This matter is **REMANDED** to the Superior Court of Washington for Douglas County.
2. The Clerk of this court shall mail a certified copy of this Order to the clerk of

1 the Superior Court of Washington for Douglas County for filing in its cause No. 06-2-  
2 0011-2.

3 **IT IS SO ORDERED.** The Clerk of this court shall enter this Order, forward  
4 copies to counsel, furnish a copy to the clerk of the the Superior Court of Washington for  
5 Douglas County, and close the file.

6 **DATED** this 6th day of July 2006.

7 s/ Justin L. Quackenbush  
8 JUSTIN L. QUACKENBUSH  
9 SENIOR UNITED STATES DISTRICT JUDGE  
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